

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

GREAT AMERICAN INSURANCE
COMPANY OF NEW YORK,

Plaintiff

-vs-

Civil Action No. 04cv11968MEL

KELLEYWAY WAREHOUSE SERVICES,
MANCHESTER MOTOR FREIGHT,
CONSOLIDATED RAIL CORP. and
ROUND THE WORLD LOGISTICS, INC.

Defendants

**DEFENDANT CONSOLIDATED RAIL CORP.'S
LR 16.1 CERTIFICATION**

Attached is defendant Consolidated Rail Corp.'s and counsel's signed
certification.

RESPECTFULLY SUBMITTED this 31st day of May 2005.

DeORCHIS & PARTNERS, LLP
Attorneys for Consolidated Rail Corp.

/s/ David J. Farrell, Jr.

David J. Farrell, Jr.
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Certificate of Service

I certify I served a copy of this certification
by e-mail on Atty Holbrook and by mail on
Attys O'Rourke and Gildea on 5/31/05.

/s/ David J. Farrell, Jr.

David J. Farrell, Jr.

CONSOLIDATED RAIL CORPORATION'S
LR 16.1 CERTIFICATION

Defendant Consolidated Rail Corporation, by and through its undersigned authorized representative and counsel of record, affirm that they have conferred

(a) with a view to establishing a budget for the costs of conducting the full course – and various alternative courses – of the litigation; and

(b) to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in LR 16.4.

/s/ Joe McCauley
Joe McCauley
Director Customer Consideration
CSX Load Engineering & Design Services

/s/ David J. Farrell, Jr.
David J. Farrell, Jr.
BBO # 559847